

NORTH CAROLINA:

IN THE GENERAL COURT OF JUSTICE

SUPERIOR COURT DIVISION

WAKE COUNTY:

95 CVS 1158

HOKE COUNTY BOARD
OF EDUCATION, et al,
Plaintiffs,

And

ASHEVILLE CITY BOARD OF EDUCATION, et al.,
Plaintiff-Intervenors,

Vs.

STATE OF NORTH CAROLINA;
STATE BOARD OF EDUCATION,
Defendants.

BY _____

WAKE COUNTY, O.S.C.

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REPORT FROM THE COURT: THE HIGH SCHOOL PROBLEM

The North Carolina Supreme Court's decisions in *Leandro I* (346 N.C. 336) on July 24, 1997 and *Leandro II* (358 N.C. 605) on July 30, 2004, set in stone, once and for all, the following tenets relating to the Constitutional guarantee to each child of the right to an opportunity to obtain a sound basic education:

FIRST: We conclude that Article I, Section 16 and Article IX, Section 2 of the North Carolina Constitution combine to guarantee every child of this state an opportunity to receive a sound basic education in our public schools. For purposes of our Constitution, a 'sound basic education' is one that will provide the student with at least:

1. sufficient ability to read, write and speak the English language and a sufficient knowledge of fundamental mathematics and physical science to enable the student to function in a complex and rapidly changing society;
2. sufficient fundamental knowledge of geography, history and basic economic and political systems to enable the student to make informed choices with regard to issues that affect the student personally or affect the student's community, state and nation;

3. sufficient academic and vocational skills to enable the student to successfully engage in post-secondary education and training; and
4. sufficient academic and vocational skills to enable the student to compete on an equal basis with others in further *formal education or gainful employment* in contemporary society.." emphasis added; (*Leandro I p. 347*).....

SECOND: *Article I, Section 15 and Article IX, Section 2 of the North Carolina Constitution, as interpreted by Leandro,* guarantee to each and every child the right to an equal opportunity to obtain a sound basic education requires that each child be afforded the opportunity to attend a public school which has the following educational resources, at a minimum:

First, that every classroom be staffed with a competent, certified, well-trained teacher who is teaching the standard course of study by implementing effective educational methods that provide differentiated, individualized instruction, assessment and remediation to the students in that classroom.

Second, that every school be led by a well-trained competent Principal with the leadership skills and the ability to hire and retain competent, certified and well-trained teachers who can implement an effective and cost-effective instructional program that meets the needs of at-risk children so that they can have the equal opportunity to obtain a sound basic education by achieving grade level or above academic performance.

Third, that every school be provided, in the most cost effective manner, the resources necessary to support the effective instructional program within that school so that the educational needs of all children, including at-risk children, to have the equal opportunity to obtain a sound basic education, can be met.

FOURTH: That a child who is showing Level III (grade level) or above proficiency on the State's ABC tests, End of Grade (EOG) or End of Course (EOC), is obtaining a sound basic education in that subject matter AND that a child who is not showing Level III proficiency (performing below grade

level) on the ABC tests is **not** obtaining a sound basic education in that subject matter.

FIFTH: That a showing of Level III proficiency is the proper standard for demonstrating compliance with the **Leandro** decision.

SIXTH: That a child who is performing below Level III is "at-risk" of not obtaining a sound basic education.

SEVENTH: That there are children "at-risk" of not obtaining a sound basic education located throughout the State of North Carolina and those children's needs are similar whether they live in a rural or suburban area.

EIGHT: That the State must assume responsibility for, and correct, those educational methods and practices that contribute to the failure to provide children with a constitutionally - conforming education.

NINTH: That when the State assesses and implements plans to correct educational obligations in the face of a constitutional deficiency in an LEA, or particular school, the solution proposed must ensure competent teachers in classrooms, competent principals in schools and adequate resources to support the instructional and support programs in that school so as to be **Leandro** compliant.

TENTH: Local School Systems (LEAs) are entitled to funding by the State sufficient to provide all students, irrespective of their particular LEA, with, at a minimum, the opportunity to obtain a sound basic education.

The Supreme Court ended its decision in **Leandro II** with the following:

This Court now remands to the lower court and ultimately into the hands of the legislature and executive branches, one more installment in the 200-plus year effort to provide an education to the children of North Carolina. Today's challenges are perhaps more difficult in many ways than when Adams articulated his vision for what was then a fledgling agrarian nation. The world economy and technological advances of the twenty-first century mandate the necessity that the State step forward, boldly and decisively, to see that all children, without regard to their socio-economic circumstances, have an educational

opportunity and experience that not only meet the constitutional mandates set forth in Leandro, but fulfill the dreams and aspirations of the founders of our state and nation. Assuring that our children are afforded the chance to become contributing, constructive members of society is paramount. Whether the State meets this challenge remains to be determined. (358 N.C. 605,649)

THE HIGH SCHOOL PROBLEM

Upon remand, the Court determined that further proceedings on this case were necessary, initially at least, on two separate subject areas. The first was the failure of the General Assembly to fund the DSSF program for some 16 LEAs with recognized educational resource deficiencies requested by the State Board of Education and DPI. The second was to hold hearings to provide the State of North Carolina with the opportunity to provide the Court and parties with information as to how it plans to assess and address the constitutional deficiencies still present throughout North Carolina's public schools. The Order regarding these hearings was filed on September 9, 2004. In that Order, the Court observed that the State of North Carolina had made commendable progress statewide, as evidenced by the ABC data for 2003-2004 in terms of overall progress in grades K-8. However, a cursory review of the ABC data for high school academic performance showed that much improvement remained to be made once children leave the eighth grade and enter high school.

In October, 2004, the Court requested and received the 2003-2004 ABC composite scores for all N.C. Public Schools compiled by LEA. These scores were not provided in disaggregated form but merely reported the composite for each school in each LEA.

The ABC data showed the following statewide data:

625 Elementary. 371 Middle Schools. 326 High Schools.

Performance Composite of 90 or above. School of Excellence

342 Elementary (55%) 105 Middle (28%) 10 High Schools (3%)

Performance Composite of 80 to 89. School of Distinction

225 Elementary(36%) 198 Middle(53.3%)107 High Schools (39%)

Performance Composite of 70 to 79. Mediocre to Better

50 Elementary (8%) 51 Middle (13.7%) 107 High Schools (39%)

Performance Composite of 60 to 69. Not Good to Mediocre

7 Elementary (2%) 15 Middle (4%) 54 High Schools (16.5%)

Performance Composite of 50 to 59. Not Good to Bad

1 Elementary (0.01%) 2 Middle (0.05%) 28 High Schools (8.5%)

Performance Composite of 40 to 49. Very Bad

0 Elementary 0 Middle 12 High Schools (3.6%)

Performance Composite of below 40 Very, Very Bad

0 Elementary 0 Middle 8 High Schools (2.4%)

With over 90% of our elementary schools at or above the 80% composite mark, it is quite evident that great progress has been made and is being made. The same can be said for the middle schools at 82% at or above the 80% composite mark. However, the high schools are a completely different matter with only 32% of the high schools at or above the 80% composite mark.

The Court is also aware of the high school drop out problem and the large numbers of children who enter the 9th grade and fail to graduate 4 years later. The drop-outs don't take the tests at all. Accordingly, the Court is going to focus on the composite scores and the progress of those who remain in high school.

Put any spin on it you want, the raw data on high school performance on the ABCs is **not good**. In the Court's opinion, a performance composite for a high school below 70% mandates a "look back" at the disaggregated data in that school for 2002, 2003, as well as 2004 to determine whether the performance trend is up, down, or stagnant.

In 2004 North Carolina had 102 of its high schools below 70% composite and of that number 48 high schools were below 60% composite. 20 of those high schools were **below 50%**.

The Charlotte-Mecklenburg High School Problem Comes to Light.

When the Court reviewed the Charlotte Mecklenburg Schools ("CMS") performance composite scores, the high school composite scores jumped out like a "sore thumb." CMS supports its schools financially at a rate of \$2,403 per ADM according to the latest financial data from the Public School Forum. At 20 students per classroom this translates to \$48,060 in local support per classroom.

CMS has 17 high schools and spends millions of dollars to support them. Yet, the 2003-04 performance composites were disturbing.

6 CMS high schools had performance composites below 50% meaning that out of all of the EOG tests taken in each of those six high schools, less than 50% of the students taking the tests were performing at Level III, the minimum score to show that the student taking the test was performing at grade level and obtaining a sound basic education. West Charlotte (31%); Phillip O. Berry (45%); Garinger (45%) West Mecklenburg (48%) E.E.Waddell (45%) and Vance (49%)

2 CMS high schools had performance composites in the low 50s; Independence (51%) and Olympic (53.5%).

North Carolina had 48 high schools below 60% proficiency in 2003-2004. CMS had 8 of those high schools (16%).

4 CMS high schools had performance composites in the 60's. Harding University (61%); NW School of Arts (68%); E. Mecklenburg (63%) and Hopewell (68%).

In sum, 10 out of 17 CMS high schools had composite scores below 70% and only one CMS high school had a composite score above 80% - Providence (85%). Six were in the 70s.

In contrast, Wake County Public Schools, the second largest school system in the state, had 16 high schools. 12 out of 16 had performance composites above 80% (2 above 90%).

The Court also noted that two mid-size Eastern North Carolina LEAs, Craven (14,299 ADM and \$956 local funding) and Onslow (21,254 ADM and \$1,088 local funding) had their

high schools on an upward spiral in terms of performance composites.

Craven County's three high schools had composites of 88.3% (Havelock), 84.9% (New Bern) and 86.9% (West Craven) in 2003-04.

Onslow County's seven high schools had composites of 84.2% (Dixon); 82.9% (Jacksonville); 87.8% (Northside) [**Northside has been open 3 years and has a 60+% black student population with between 40 to 50% free and reduced lunch population. It's proficiency composite has gone from 69.7% in 01-02 to 87.8, the highest in the county**]; 82.9% (Richlands); 82.4% (Southwest); 83.2% (Swansboro) and 84.2% (White Oak) in 2003-04.

The comparison and contrast to CMS' high school performance was stunning. The Court and the record in this case needed to know how these systems were being successful with less money while CMS was failing to be successful with 2/3 of its high schools.

On November 10, 2004, the Court sent a memorandum to counsel, with copies to the Governor, Legislative Leadership, and the Superintendent of Public Instruction and Chair of DPI, advising them of the CMS high school scores and that it appeared that this data when compared with Wake County's outstanding high school performance, and that of Onslow and Craven, indicated a management problem in CMS arising out of the allocation of resources to those schools in terms of competent principals, teachers and resources to support a **Leandro compliant educational program**.

On December 3, 2004, the plaintiff-intervenors filed a response to the Court's November 10, 2004, Memorandum which raised issues about CMS's high schools. Included with the filing was a Memorandum dated November 19, 2004 from Dr. James Pughsley, Superintendent of CMS. Dr. Pughsley acknowledged that there were "**no excuses**" and that the CMS high school EOC scores "are unacceptable and must improve dramatically." Although Dr. Pughsley had acknowledged "no excuses" his memorandum contained 8 pages of reason(s) why CMS was doing so poorly when compared to Wake County, including higher poverty population, high teacher turnover, etc. and cited the need for more money and qualified teachers.

In December, 2004, in connection with a hearing over the DSSF and the State Board of Education's progress in planning to meet the requirements of *Leandro*, the State Board provided the Court with an Executive Summary which stated in pertinent part:

The State of North Carolina is committed to ensuring that all children receive the opportunity to obtain an education that prepares them for further education beyond high school, skilled jobs and careers in a changing workforce, and the responsibilities of citizenship in a democratic society. Furthermore, the State is committed to ensuring that all children have (1) a competent teacher, (2) an effective principal, and (3) adequate resources to meet high academic standards.

The State has demonstrated a commitment to target resources to meet the needs of at-risk students. Among other programs, the Governor, the State Board of Education and the General Assembly have recently created and funded the following: In this list was:

The New Schools Project to reform high schools.

This project was described as follows:

Supported initially by an \$11 million grant from the Bill and Melinda Gates Foundation, the New Schools Project is focused on improving high schools in order to dramatically improve the dropout, high school graduation and college-going rates in North Carolina. Based on research that shows that smaller schools lead to higher graduation rates and better preparation for college and jobs, the initiative is focused on creating smaller high schools with deeper connections to higher education and workplace skills. The project focuses on students whom traditional high schools are not serving well.

This Project has begun by investing in the creation of 8 health science-themed smaller schools and schools within schools, and 15 Learn and Earn high schools where students graduate from high school and earn both a high school diploma and an associate's degree or two years of university credit. Learn and Earn high

schools are done with local community colleges and four-year institutions. The next phase of the New Schools Project is the implementation of proven small school models in districts in northeastern North Carolina. (Exhibit 3-Executive Summary; 12/4/04.

As a result of its review of CMS, the Pughsley memorandum and the rest of the State's high school performance composites, the Court determined that it would be appropriate to hold a non-adversarial evidentiary hearing in which the Court would take evidence about CMS's high school problem and take evidence on high school reforms and best practices that are available to correct such dismal performance that was evident throughout the State, especially in CMS.

The Court served a notice of the hearing on January 19, 2005. The hearing was scheduled for March 7, 2005. The Court and parties would discuss the "agenda" at the February 15, 2005, regularly scheduled hearing on the status of the State's plan for *Leandro* compliance. The hearing will also focus on programs that are available to improve student performance and high school performance. One low-cost, effective program to help high school students succeed, graduate and go to college is AVID.

AVID-Advancement Via Individual Determination.

At the February 15, 2005, hearing, the Court asked Susan Lamar, State Director of NC AVID to make a presentation about the AVID program and its purpose in terms of assisting high school students to prepare for college eligibility. AVID is a fifth grade through high school program to prepare students that are performing at the middle of the pack for college eligibility. The typical student is one who would be the "first" to attend college in their family, low income and capable of completing a more rigorous academic course of study. AVID students are enrolled in the toughest courses, including AP, and they attend an elective AVID class taught by trained AVID teacher. The three chief components of the program are academic instruction, tutorial support and motivational activities. AVID is based on writing as a learning tool, inquiry method, collaborative grouping and academic reading. AVID is a relatively low-cost program to implement. For example, the first year cost for a high school site, including staff development for the AVID team,

is less than \$20,000 to serve some 30 students. As the program continues, the costs per student decrease. For the 2004-05 school year, AVID programs are in place in one or more middle and/or high schools in Asheville City, Catawba County, Chapel Hill-Carrboro; Charlotte-Mecklenburg; Craven County, Cumberland County, Dare County, Durham Public Schools, Gaston County, Lenoir County, Nash-Rocky Mount, New Hanover, Newton-Conover City, Onslow County, Pitt County, Wake County and Wilson County public schools.

On March 3, 2005, the Court entered an Order regarding the scheduling of matters at the March 7, 2005. The first order of business was to conduct a hearing on the plaintiffs' motion to require the state to show cause why it has not adopted a plan in response to **Leandro** hearing and the second was to initially address the problem of poor academic performance in high schools throughout North Carolina and to receive evidence about policies, practices and programs that work in high schools that can be used as solutions for poor academic performance throughout North Carolina.

The March 7, 2005 hearings were evidentiary. Each party was permitted to examine each witness. Documentary evidence was also presented to the Court. The testimony and documentary evidence are part of the record in this case. Accordingly, the Court will not re-hash all of the testimony and evidence presented during the three days of hearings. A brief recitation of the credible evidence received will suffice:

Dr. Tony Habit, Executive Director of The North Carolina New Schools Project testified. He gave an overview of the New Schools Project in North Carolina and the need for high school reform. The Court gleaned the following information about High School Reform from Dr. Habit and written materials provided about the New Schools Project.

High School Reform in North Carolina is necessary.

High School Reform in the United States and North Carolina is necessary. The high schools of today have not changed significantly since the formation of "comprehensive" high schools almost a century ago in spite of the fact that the dynamics of work and society are now dramatically different. High schools are large. Many have more students than a small college. A great many North Carolina students

(less than 70%) who come to the unchanged high school setting of today as 9th graders do not stay in school until the 12th grade. Many NC high schools lose almost half of their ninth grade before graduation. 11% entering the UNC system were enrolled in remedial courses in order to prepare them for college level work. In 2000, 38% of students entering the NC Community College system were required to take remedial math and 26% were required to take remedial English.

The bottom line is that there is a great need for change in North Carolina's high schools. The ABC testing scores, coupled with the remediation rates in college and the lack of graduation in 4 academic years, is clear indication of a problem in the high schools in North Carolina. High School Reform such as the New Schools Project is available as a resource for North Carolina.

There is a wealth of evidence that the "one size fits all" comprehensive high school no longer serves all of its students effectively and as a result, fails to prepare a great number of its students for the rigors of today's workplace environment and higher education.

The New Schools Project ("NSP") is a public-private partnership that reports to the NC Education Partnership, a committee composed of the leaders of the K-12 and higher education sectors of the State. The NSP was backed by an \$11 million dollar grant from the Gates Foundation. The NSP will award grants and provide support to create over 100 small high schools across North Carolina. These high schools are designed to serve as models for academically rigorous curriculum to prepare all students for work and college.

The clear intent of the NSP is to engender dramatic structural change as opposed to supporting a "program." NSP's essential thrust is straightforward; in order to improve public high schools everywhere, individual schools must be encouraged and assisted to invent and implement more effective means of serving students. The successes of these schools must be sustained, their processes must be supported and their new structures for success must be replicated. The focus of the NSP initiatives is the individual school, but the intent over time is to re-invent high school education in North Carolina. New Schools Project -Request for Proposals -Winter 2005, pp 3-6.

The Court notes that there are also other approaches to high school reform that exist and are available. North Carolina DPI has a program entitled *High Schools that Work* that has been available and has shown promise in student achievement. The Court focuses on NSP as it has been selected for this role by the NC Education Cabinet, supported by Governor Easley and the North Carolina General Assembly with regard to the Learn and Earn early college high school initiative beginning in 2004.

NSP approaches high school redesign in a two step process. The first is a year of planning followed by a five year partnership focused on teacher training, curriculum development and an intensive focus on student performance data to make instruction more effective.

The NSP will assist in creating "new" high schools from scratch and will assist in projects that "convert" a conventional high school into a redesigned high school, in short, smaller high schools within one building. New Schools, such as Learn and Earn high schools will be "new" high schools that are based in non-traditional settings such as on the campus of a two or four year college or university. Learn and Earn school students will be enrolled in grades 9-12, or 13 and each child in that school is expected to, and supported to, earn both their high school diploma and two years of credit towards a four year degree. They will follow the same application and partnership process as Gates funded "new" schools.

A conversion high school is the result of "converting" a conventional high school, such as Olympic High School in CMS, into a series of small autonomous units possessing its own school identification number and principal. The costs of running two or more small high schools within a single building run approximately 5 to 7% higher than the former "conventional" high school.

A new high school or conversion high school has several characteristics that are beneficial to the teachers and the students and thus, to academic achievement within the school. The ultimate goal is to reduce the size of the high school, utilize a common academic focus or theme, have faculty autonomy and flexibility in carrying out the educational theme, have high expectations of students and

provide them with the support to be successful in a rigorous academic environment.

Autonomy and flexibility.

With a smaller number of students and faculty, the interpersonal relationships are better established. Teachers work as a team and they get to know a relatively small group of students for their entire high school experience. Teachers can understand and address the students' needs. Teachers are able to focus on fundamentals across all classes in the core subjects. In short, seeing that students read and write becomes the responsibility of all the teachers, math, science as well as English and U.S. History.

Autonomy and teamwork permit the teachers to be flexible so that they can modify their schedules and redirect time and resources as needed to meet the needs of their students. Teachers working in a collaborative setting can use the measurements of their students to analyze and refine their teaching methods and improve them.

Autonomy also generates accountability. In the smaller high school, the teacher receives test data and it is personal. In a redesigned high school, the test results are about the teacher's teaching and it becomes a level of personal accountability, not just data.

Common Focus

While the conventional high school offers a great diversity of courses or programs in an attempt to keep students interested in staying in school, this approach is not necessarily positive in that: (a) it allows children to be tracked into less demanding classes rather than demanding high levels of academic achievement from all students; (b) can be academically fragmented and confusing for students as one class is disconnected from another and from the world of adult learning; (c) costs and time to get teachers to teach all of the many courses in the school takes away from a focus on achievement in core subjects; and (d) the diversity and numbers of subjects taught separates the teachers and gives them little opportunity to work together as a team to focus on the needs and demands of the individual students entrusted to their care.

The "redesigned high school" creates a common theme or focus such as a health and life sciences high school, information technology, international studies, engineering or environmental studies. The common focus of the high school will permit students to use the subject matter and smaller focus to help the students learn in core subjects and make connections to the world of adult work and problem solving.

Academic Rigor

The redesigned high schools are expected to create a course of study that will expect and support each student to academically master a university pathway diploma. The university diploma pathway requires two years of foreign language and four years of math, courses that correlate with achievement in the workplace of today. There is also no question that demanding more out of students (high expectations) results in higher academic performance.

Student Support

In conventional high schools there is less opportunity for sustained relationships between students and teachers due to size and courses. In the redesigned high schools the faculty is expected to provide additional support for the students so they can meet the higher academic standards that they are expected to achieve. The additional support systems are called "advisories." The concept is common sense and simple. Each teacher in an "advisory" will meet each day with a small group of students for the four years they are in high school. The bottom line is that the students have one teacher who will know them, communicate with them and be like family to them. The expected benefit is that the student will get closer academic attention, coaching and individual attention so that he or she will achieve and stay in school to graduate well prepared. This advisory concept is critical. It is similar in theory to the AVID concept in which the AVID students meet for one class period each day with the AVID teacher.

This is not the only effective approach to high school reform and the programs cannot be instituted overnight. However, they work and North Carolina High Schools need to wake up and pay attention to the fact that this is an existing resource for improved academic achievement that is on their doorsteps.

Durham Public High Schools.

Dr. Ann Denlinger, Superintendent of the Durham Public Schools about the state of the Durham High Schools. Dr. Denlinger advised that she was focusing on trying to retain and keep high school teachers by providing them with more support. She acknowledged that the freshmen (9th graders) who come to high school are in need of more support. At Jordan High School, they established a Freshman Academy for 9th graders in which the 9th graders are taught in block schedules and have more individualized attention by the same set of teachers. Durham has a content focus on the study area and requires that the course be aligned with the NCSCOS.

The Court has reviewed the disaggregated data for Durham's 5 high schools for the years 2002, 2003 and 2004. Durham is making progress. In 2002, Durham's black high school students' EOC scores were 47.5% proficient (52.5% below Level II) and Durham's white high school students' EOC scores were 79.5% proficient (20.5% below Level III).

In 2003, Durham's black high school students' EOC scores were 52.8% proficient (47.2% below Level III) and Durham's white high school students' EOC scores were 83.3% proficient (16.7% below Level III), an increase of 5.3% proficiency for black students and an increase of 3.8% proficiency for white students.

In 2004, Durham's black high school students' EOC scores were 57.7% proficient (42.3% below Level III) and Durham's white high school students' EOC scores were 84.9% proficient (15.1% below Level III).

Over the three (3) year period black high school students in Durham County saw an increase of 10.2% in proficiency on EOC tests and white students saw an increase of 5.4% in proficiency on EOC tests.

The Durham Public Schools are also involved in starting AVID programs in their schools plus they have started an Earn and Learn early college high school on the campus of North Carolina Central University.

The Court finds that Dr. Denlinger and her staff at the Durham Public Schools are making high school achievement

progress despite a large number of at-risk children in attendance. However, the performance composites at Hillside and Southern indicate that those schools have a long way to go to reach satisfactory levels. Hillside was 45.6% in 2002 and 49.2% in 2004. Southern was 52.0% in 2002 and 53.1% in 2003.

CMS HIGH SCHOOLS - A SYSTEM WITH TOO MANY HIGH SCHOOLS IN CRISIS.

CMS presented three (3) witnesses. Dr. Clark who was the CMS Regional Superintendent responsible for the day to day supervision of CMS's High Schools. She admitted that the academic performance results were unacceptable and placed the blame on a number of factors, including a lack of quality teachers.

The next witness was Pamela Espinoza, Principal at Olympic High School whose 2004 composite score was 53.5%. She presented disaggregated data showing an increase in performance from 2000 to 2004 in composite scores from 36.8% proficiency in 2000 to 53.4% proficiency in 2004. Ms. Espinoza advised the Court that she had applied for a Gates NSP grant the week before in order to assist her school in obtaining better academic achievement for its student body.

The third and final witness was CMS' Superintendent, Dr. James Pughsley who acknowledged that there were no excuses. Dr. Pughsley testified about a number of "plans" which are supposed to aid high school academic performance, such as High School Charter, A+, Algebraic Thinking, AVID, Department of Instructional Excellence and finally, the High School Challenge (\$6,000,000 grant from the county to see if the 3 lowest performing high schools could improve), Student Support Case Management and Transition 9.

The Court found Transition 9 particularly interesting. This program provides intensive academic/instruction intervention to 9th grade students who, in the 8th grade, **failed** to achieve grade level proficiency in the 8th grade EOG tests in reading and/or math and/or computer skills, or a combination of these. Bottom line is that the principal in the Middle School "passed" these low achievers on to the high school when their chances for academic success were marginal at best. Transition 9 is an attempt to get the

students up to grade level proficiency in the 8th grade reading and mathematics EOG tests in the 9th grade.

Missing from the menu of "plans" to assist in upgrading high school academic performance was a 9th Grade Academy, or Freshman Academy program for all 9th grade students entering high school. Missing from the menu of "plans" was also any effort (save Olympic) to reach out to the NSP and attempt to "convert" some of the worst high schools into smaller schools.

Dr. Pughsley acknowledged that expectations have increased and that the economy of today demands higher academic skills and better teaching. He testified that high school teaching must change, that high school teachers must engage kids in learning and understanding that requires a different type of teaching. He acknowledged that teachers must meet and plan together, follow pacing guides to the SCOS and that high school teachers need to collaborate better to see that the pacing guides are followed. Dr. Pughsley acknowledged that CMS needed more content coaches for its teachers in H.S.

All in all, Dr. Pughsley testified to a lot of varying ideas and plans for better schools, including his vision of a 90-90-90 school where a school with a 90% minority, 90 FRL would achieve 90% EOC tests proficiency.

He also stated that parents in CMS needed to be reconnected to the school.

Unfortunately, the Court found no comfort in the testimony presented by the CMS employees in terms of either a short term plan for turning the high schools around and achieving decent academic performance of its at-risk student population (the majority of whom are black).

There is no need to go into all of the excuses CMS has for its failure to educate its at-risk high school students. Refer to the Plaintiff-Intervenors' Response to Court's November 10, 2004 Memorandum dated December 4, 2004. CMS candidly acknowledges that its 2004 EOC composite scores are unacceptable and must improve dramatically.

Following the hearing, the Court requested that CMS file its EOC performance data for the past three years in a disaggregated form for the Court to review more closely.

Before discussing CMS's disaggregated performance data, the Court notes that in 2003-04, the DPI did not administer two of the major high school EOC tests statewide. The tests were in ELPS and U.S. History. In 2002-03, EOC tests for ELPS were administered to 90,427 students. The proficiency percentage (Level III and above) was 69.3%. In 2002-03, U.S. History EOC tests were administered to 79,106 students. The proficiency percentage (Level III and above) was a dismal 54.9%.

Accordingly, any increase in a high school's composite score from 2002-03 to 2003-04 must be viewed with the foregoing in mind. Removing these two (2) EOC tests with proficiency levels below 70% from the mix will skew the proficiency composite higher for 2004 in each high school.

CMS high schools' disaggregated data.

The disaggregated data furnished to the Court revealed a chilling picture when the EOC scores of black students in the CMS high schools are looked at over a period of three years, 2002, 2003 & 2004:

CMS H.S. BLACK STUDENTS- % AT GRADE LEVEL ON EOC TESTS BY SCHOOL FOR 2002, 2003, 2004 & # of BLACK STUDENTS ENROLLED

	2002		2003		2004	
	<u>%</u>	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>	<u>#</u>
BUTLER	46.3	660	49.6	443	54.2	397
MYERS PARK	31.5	657	38.0	578	38.0	561
N. MECKL.	30.2	339	42.3	412	45.9	578
PROVIDENCE	43.6	348	56.5	214	62.7	210
S. MECKL.	35.6	407	48.9	298	49.7	338
WADDELL	30.0	448	34.5	558	34.3	535
E. MECKL.	41.9	649	45.1	829	46.2	842
GARINGER	32.6	968	36.3	800	40.7	935
HARDING U.	53.1	764	51.9	798	50.7	955

HOPEWELL	39.4	341	44.8	445	45.5	517
INDEPENDENCE	45.6	917	48.4	1174	40.7	1232
NW ARTS	38.5	506	37.7	518	45.6	583
OLYMPIC	34.9	478	42.6	467	41.5	543
OBERRY	xx	xx	44.4	518	37.0	845
VANCE	40.0	1075	39.4	1293	39.8	1311
W.CHARLOTTE	28.1	1212	23.4	1133	29.5	1136
W. MECKL.	39.4	889	34.5	857	40.4	820

Total black students: 10,568 11,335 12,338

Note: You cannot compare the percent of proficiency/or lack of proficiency with the number of actual black students enrolled in each school to determine the actual number of students below grade level. This is because all students do not take the same number of EOC tests, unlike in 3-8 where the students take EOG tests in math and reading. The foregoing chart simply shows the number of black students in the school and the performance composite for all EOC tests taken by black children in that school.

You can, however, get a reasonable picture of the numbers of black students who are failing to reach grade level proficiency each year by knowing the number of EOC tests administered and the proficiency ratio on those tests.

For example, in 2002, at Butler High School, there were a total of 1388 EOC tests administered to black students at Butler. The proficiency composite for black students on the 1388 EOC tests was 46.3%. That means that there were 53.7% of the EOC tests on which black students failed to reach grade level proficiency. 53.7% of 1388 is 745 tests on which the score was below grade level.

Using this method, the Court analyzed the black EOC scores in each school for each year and determined the percentage of scores below grade level and the number of tests below grade level. The Court then divided the number of EOC tests

below grade level by the total number of EOC tests given to black students at that particular school to determine the percentage of scores below grade level. That percentage matched the percentage of the official proficiency composite score below grade level.

Using this same method, the Court analyzed the white EOC scores in each school for each year and made the same determination as to percentage of scores above and below grade level proficiency for white students in each school.

The results of each year's analysis follow:

2002

White Students in CMS high schools were given 27,424 EOC tests. White Students were below grade level proficiency on 6,550 EOC tests.

6,550 divided by 21,424 = 23%. White students were **below grade level on 23% of the EOC tests** and were above grade level on 77% of the EOC tests.

Black Students in CMS high schools were given 21,297 EOC tests. Black Students were below grade level proficiency on 12,679 EOC tests.

12,679 divided by 21,297 = 59.5%. Black students were **below grade level on 59.5% of the EOC tests** and were above grade level on 40.5% of the EOC tests.

2003

White Students in CMS high schools were given 27,071 EOC tests. White Students were below grade level proficiency on 6,209 EOC tests.

6,209 divided by 27,071 = 22.9%. White students were **below grade level on 22.9% of the EOC tests** and were above grade level on 77.1% of the EOC tests.

Black Students in CMS high schools were given 23,126 EOC tests. Black Students were below grade level proficiency on 13,741 EOC tests.

13,741 divided by 23,126 = 59.4%. Black students were **below grade level on 59.4% of the EOC tests** and were above grade level on 40.6% of the EOC tests.

2004 - No ELPS EOC tests and No U.S. History EOC tests given.

White Students in CMS high schools were given 20,008 EOC tests. White Students were below grade level proficiency on 4565 EOC tests.

4565 divided by 20,008 = 22.8%. White students were **below grade level on 22.8% of the EOC tests** and were above grade level on 77.2% of the EOC tests.

Black Students in CMS high schools were given 18,147 EOC tests. Black Students were below grade level proficiency on 10,820 EOC tests.

10,820 divided by 21,297 = 50.8%. Black students were **below grade level on 50.8% of the EOC tests** and were above grade level on 49.2% of the EOC tests.

The combined results of all white and black EOC scores for 2004 showed that there were some 15,385 EOC scores below grade level out of 38,155 total EOC test scores. 15,385 divided by 38,155 = 40%. Thus, for 2004 CMS high school EOC scores for white and black students combined were 60% above grade level and 40% below grade level with black students' scores the reverse, 60% below and 40% above.

The three year analysis also shows that there has been NO overall progress made in high school student achievement in CMS in the years 2002,2003 and 2004. Black students remain constant **at 60% below grade level in high school EOC tests** while White students remain constant at 23% below grade level in high school EOC tests. While there was some individual improvement in some high schools in 2004, much of this can probably be attributed to absence of low scores normally generated by U.S. History and ELPS EOC tests.

CMS's Top Four High Schools - A closer look for 2003-04

Before leaving CMS High Schools, the Court took a "look" inside the 4 "top" scoring high schools in CMS for 2003-2004.

Butler High School 2004 Composite 75% - 1949 Students. 397 blacks (20.4%) 1414 whites (72.6%) 138 other minority (7%).
Gifted & Talented- 481 students (24.7% of student body) -
Composite score 92.6%
Black composite score 54.2%
White composite score 77.6%
Students receiving Free/Reduced Lunch 14.32%

Myers Park High School 2004 Composite 75% - 2492 Students. 561 blacks (22.5%) 1649 whites (66.2%) 282 other minority (11.3%).
Gifted & Talented- 786 students (31.5% of student body) -
Composite score 93.7%
Black composite score 38.2% **** 61.8% below grade level.
White composite score 83.3%
Students receiving Free/Reduced Lunch 17.78%

North Mecklenburg High School 2004 Composite 72% - 2294 Students. 578 blacks (25.2%) 1514 whites (66.0%) 202 other minority (8.8%).
Gifted & Talented- 494 students (21.5% of student body) -
Composite score 94.5%
Black composite score 45.9%
White composite score 80.6%
Students receiving Free/Reduced Lunch 13.91%

Providence High School 2004 Composite 85% - 2381 Students. 210 blacks (8.8%) 1943 whites (81.6%) 228 other minority (9.5%).
Gifted & Talented- 612 students (25.7% of student body) -
Composite score 96.5%
Black composite score 62.7%
White composite score 85.4%
Students receiving Free/Reduced Lunch 14.32%

CMS's Bottom Four High Schools - A closer look for 2003-04

Before leaving CMS High Schools, the Court took a "look" inside the 4 "bottom" scoring high schools in CMS for 2003-2004.

West Charlotte H.S. 2004 Composite 31% - 1249 Students. 1136 blacks (91.0%) 26 whites (2.1%) 87 other minority (6.9%).
Gifted & Talented- 58 students (4.6% of student body) -
Composite score 60.6%
Black composite score 29.5% ***** 70.5% below grade level

White composite score 55.6%
Students receiving Free/Reduced Lunch 61.92

O.Berry Technical Acad. 2004 Composite 45% - 1053 Students.
845 blacks (80.2%) 125 whites (11.9%) 83 other minority
(8.9%).

Gifted & Talented- 86 students (8.2% of student body) -
Composite score 74.2%
Black composite score 37.0% ***** 63% below grade level
White composite score 63.5%
Students receiving Free/Reduced Lunch 57.54%

Garinger High School 2004 Composite 45% - 1364 Students.
935 blacks (68.5%) 144 whites (10.6%) 285 other minority
(20.9%).

Gifted & Talented- 50 students (3.7% of student body) -
Composite score 82.4%
Black composite score 40.7% **** 59.3% below grade level.
White composite score 61.0%
Students receiving Free/Reduced Lunch 57.03%

E.E. Waddell High School 2004 Composite 45%- 962 Students.
535 blacks (55.6%) 183 whites (19.0%) 244 other minority
(25.5%).

Gifted & Talented- 47 students (4.9% of student body) -
Composite score 80.3%
Black composite score 34.3% **** 65.7% below grade level
White composite score 60.2%
Students receiving Free/Reduced Lunch 45.56%

CONCLUSION RE: CMS

The Court will agree with Dr. Pughsley on one point. NO EXCUSES. There can be no excuse for what is going on in CMS' bottom four high schools, or the other four high schools that have composites below 60% - Olympic (55%); Vance (49%); Independence (51%); West Mecklenburg (48%); nor the two below 70%, Harding (61%) and Hopewell(68%).

The most appropriate way for the Court to describe what is going on academically at CMS's bottom "8" high schools is **academic genocide** for the at-risk, low income children.

The bottom line is that there is no excuse for these high schools (or for that matter any high schools anywhere in North Carolina with similar disaggregated data and

composite score) to be so academically in the ditch year after year.

Jo Baker, Associate Superintendent for Instruction, Wake County Public Schools.

Dr. Baker testified about what Wake County Public Schools were doing that had led to the overall academic success in the system and in the high schools. Wake County uses the **Baldrige Process**, which is a business approach to achieving student academic success. The tenets are PLAN, DO, STUDY & ACT. It is interesting to note that Craven County Schools adopted the Baldrige Process several years ago and credits the process to its outstanding achievement in student performance.

4x4 BLOCK

The majority of Wake County's High Schools have gone to a 4x4 block system. In the 4X4 Block System, students take 4 courses each semester instead of 6 or more. The courses are taught in 90 minute segments each day and at the end of the semester, the student has obtained one high school credit for the course. Simply put, the course covers the nine month course of study in one semester. Wake County has refined its pacing guides for the teachers so they can stay on the timetable in the course in order to teach the SCOS and finish the material.

The benefits to the high school students are that they can focus on only 4 subjects at one time. The course is daily and they are taught by only 4 teachers and those teachers are in daily contact with them for the semester. This provides an opportunity for individual attention and the students don't bounce around inside the large high school.

The benefit to the teachers in the 4X4 Block system are two fold: They get to know 75 children as they teach 3 classes each day, with one class period for planning. Second, they have the opportunity to collaborate and plan with the other teachers in the 4x4 block in order to more effectively individualize the instruction for the students.

9th Grade At-Risk Academy at Garner.

Garner High School, which has one of the lower composites of all of Wake's high schools, 65.6%, has instituted a 9th

grade At-Risk Academy to help the at-risk 9th grade students transition into high school. The goal is to make the high school experience more personal, have more individual attention paid to the ninth grader and to attempt to link the child with the parent.

Wake County High Schools are doing well and the system is benefiting from stable leadership and community support. Wake County is doing a very creditable job in its high schools.

Larry Brown Moser, Associate Superintendent, Craven County Schools.

The Craven County School system's high schools performance composites have been set out previously. All of its High Schools are above 80% proficiency. The Court asked Craven County Schools to come and testify as to what has made them successful. Craven County Schools are 58% white and 34% black. 16% are military family children and 47% are free and/or reduced lunch.

Craven County has 1,033 teachers and 13 learning center coaches that provide instructional assistance and support to teachers. The teacher turnover rate is 15%. The teachers are qualified and there is stability in leadership and little turnover in principals. The Learning System Coaches are Master Teachers. They are paid by local funds and they meet with grade level teachers to provide support and assistance for the educational program. The High School Principals follow the SCOS.

Craven County Schools adopted the Baldrige Process in 1993. It is called the Baldrige Approach For Continuous Improvement. The Baldrige process started with 7 pilot schools in 1993. Leadership comes from the district to the school to the classroom. Expectations for academic performance are set from the top.

The system uses pacing guides that are aligned with the SCOS and uses assessment data to determine effectiveness of the system. Baldrige uses a business approach to education. Wake County uses Baldrige.

Craven County uses AVID and the 4x4 Block Schedule for its high schools. Craven has moved from a "teaching" to a learning system. Craven has a drop out prevention program

called a credit recovery program to try to prevent drop outs. It has a drop out prevention coordinator.

The bottom line is that Craven County Schools is doing it right. In 1998-99 the District High School Composite average was 63.1%. In 2003-04, the District High School Composite average was 86.7%.

Brooks Singletary, Superintendent of Onslow County Schools.

Onslow County has 22,200 students. It is 64% white, 29% black and 5% Hispanic. The free and/or reduced lunch population is in the 40% range. Onslow receives low wealth funding. Since Camp Lejeune is in Onslow, the student population is 36% federally connected. Marine families value education.

Onslow County schools have a diverse student population. The military connected children have access to healthcare and are focused as teenagers.

Onslow County Schools has 1400 teachers, 1150 fully accredited, 150 lateral entry, no long term substitutes and a turnover rate of 12.4%.

Onslow County utilizes Effective Schools Research for its achievement enhancing program. The program has been in Onslow County Schools for 14 years. It is research based and correlates the best practices with expectation and accountability.

Onslow County has AVID in 2 high schools and 2 middle schools.

Onslow County has adopted the "Freshman Academy" concept so as to provide the 9th graders with a smaller learning community in their first year in high school. The Freshman Academy provides students a transition from the freshman year to the sophomore year. The ninth graders are team taught and the high schools work with their feeder middle schools in establishing the program for the ninth graders.

Onslow County is on top of high school reform. It also uses a recovery program in connection with drop out prevention called "Plato".

Onslow County's High Schools are performing well and the

program is working as evidenced by the improvement in performance composites from 1999-00 through 2003-04. In 1999-00 every high school in Onslow County had a composite score in the 60%-67.9% range. In 2003-04, every high school in Onslow County had a composite score ranging from 82.4% to 87.8% (Northside).

The Court's Independent Review of Disaggregated Data of other Selected LEAs High Schools Performance.

Following its analysis of the disaggregated data relating to CMS's high schools, the Court believed it would be appropriate to take a 3 year "look" at several other systems, including the 5 plaintiff systems, for a comparison of how their high schools were performing using the same data comparison. In addition, the Court believed it would be appropriate to look at high school data from other larger school systems, other than Wake County, so as to make a comparison of their high schools to CMS.

Plaintiff Counties.

Cumberland County High Schools.

Cumberland County ("CC") had ten (10) high schools on line in 2004. Prior to 2003-2004, it had nine (9) high schools.

2002

White Students in CC high schools were given 10,761 EOC tests. White Students were below grade level proficiency on 2813 EOC tests.

2813 divided by 10761 = 26%. White students were **below grade level on 26% of the EOC tests** and were above grade level on 74% of the EOC tests.

Black Students in CC high schools were given 11,825 EOC tests. Black Students were below grade level proficiency on 5949 EOC tests.

5949 divided by 11,825 = 50.3%. Black students were **below grade level on 50.3% of the EOC tests** and were above grade level on 49.7% of the EOC tests.

2003

White Students in CC high schools were given 10,790 EOC tests. White Students were below grade level proficiency on 2,520 EOC tests.

2,520 divided by 10,790 = 23.3%. White students were **below grade level on 23.3% of the EOC tests** and were above grade level on **76.7%** of the EOC tests.

Black Students in CC high schools were given 11,539 EOC tests. Black Students were below grade level proficiency on 5396 EOC tests.

5396 divided by 11,539 = 46.7%. Black students were **below grade level on 46.7% of the EOC tests** and were above grade level on **55.3%** of the EOC tests.

2004 - No ELPS EOC tests and No U.S. History EOC tests given.

White Students in CC high schools were given 8,437 EOC tests. White Students were below grade level proficiency on 1753 EOC tests.

1753 divided by 8437 = 20.0%. White students were **below grade level on 20% of the EOC tests** and were above grade level on **80%** of the EOC tests.

Black Students in CC high schools were given 9,297 EOC tests. Black Students were below grade level proficiency on 4,191 EOC tests.

4,191 divided by 9,297 = 45%. Black students were **below grade level on 45% of the EOC tests** and were above grade level on **55%** of the EOC tests.

Note: In 2002/03 CC had an ADM of 51,469 making it a larger LEA than Durham Public Schools.

Robeson, Vance, Hoke & Halifax High Schools (combined)

These four (4) small counties ("RVH&H") had less total test scores than Cumberland County when combined. In the

interest of the shortness of life, the data for all 4 LEAs' high schools are combined.

2002

White Students in RVH&H high schools were given 4,648 EOC tests. White Students were below grade level proficiency on 1,543 EOC tests.

1,543 divided by 4,648 = 33%. White students were **below grade level on 33% of the EOC tests** and were above grade level on **67%** of the EOC tests.

Black Students in RVH&H high schools were given 9,585 EOC tests. Black Students were below grade level proficiency on 5,780 EOC tests.

5,780 divided by 9,585 = 57.8%. Black students were **below grade level on 57.8% of the EOC tests** and were above grade level on **42.2%** of the EOC tests.

2003

White Students in RVH&H high schools were given 4,547 EOC tests. White Students were below grade level proficiency on 1,275 EOC tests.

1,275 divided by 4,547 = 28.0%. White students were **below grade level on 28.0% of the EOC tests** and were above grade level on **72%** of the EOC tests.

Black Students in RVH&H high schools were given 9,103 EOC tests. Black Students were below grade level proficiency on 4,998 EOC tests.

4,998 divided by 9,103 = 54.9%. Black students were **below grade level on 54.9% of the EOC tests** and were above grade level on **45.1%** of the EOC tests.

2004 - No ELPS EOC tests and No U.S. History EOC tests given.

White Students in RVH&H high schools were given 3,406 EOC tests. White Students were below grade level proficiency on 893 EOC tests.

893 divided by 3,406 = 26.2%. White students were **below grade level on 26.2% of the EOC tests** and were above grade level on **73.8%** of the EOC tests.

Black Students in RVH&H high schools were given 6,485 EOC tests. Black Students were below grade level proficiency on 3,453 EOC tests.

3,453 divided 6,485 = 53.0%. Black students were **below grade level on 53.0% of the EOC tests** and were above grade level on **47.0%** of the EOC tests.

Selected Large Urban Districts.

Guilford County High Schools.

Guilford County Schools ("GCS") had a 2002/03 ADM of 65,304. Guilford County has 14 high schools.

2002

White Students in GCS high schools were given 19,513 EOC tests. White Students were below grade level proficiency on 3,912 EOC tests.

3,912 divided by 19,513 = 20%. White students were **below grade level on 20% of the EOC tests** and were above grade level on **80%** of the EOC tests.

Black Students in GCS high schools were given 12,645 EOC tests. Black Students were below grade level proficiency on 7,079 EOC tests.

7,079 divided by 12,645 = 55.9%. Black students were **below grade level on 55.9% of the EOC tests** and were above grade level on **44.1%** of the EOC tests.

2003

White Students in GCS high schools were given 18,547 EOC tests. White Students were below grade level proficiency on 3,405 EOC tests.

3,405 divided by 18,547 = 18.3%. White students were **below grade level on 18.3% of the EOC tests** and were above grade level on **81.7%** of the EOC tests.

Black Students in GCS high schools were given 13,374 EOC tests. Black Students were below grade level proficiency on 7,173 EOC tests.

7,173 divided by 13,374 = 53.6%. Black students were **below grade level on 53.6% of the EOC tests** and were above grade level on **46.4%** of the EOC tests.

2004 - No ELPS EOC tests and No U.S. History EOC tests given.

White Students in GCS high schools were given 14,073 EOC tests. White Students were below grade level proficiency on 2927 EOC tests.

2927 divided by 14,073 = 20.7%. White students were **below grade level on 20.7% of the EOC tests** and were above grade level on **79.3%** of the EOC tests.

Black Students in GCS high schools were given 11,320 EOC tests. Black Students were below grade level proficiency on 5,679 EOC tests.

5,679 divided 11,320 = 50.0%. Black students were **below grade level on 50.0% of the EOC tests** and were above grade level on **50.0%** of the EOC tests.

Winston Salem/Forsyth County High Schools * Pl-intervenor

Winston Salem/Forsyth County ("FCS") has eight (8) high schools. It has two(2) small units, Forsyth Voc H.S. and Independence H.S. that the Court did not consider as the numbers of tests were too small.

Forsyth County had an ADM in 2002/03 of 47,488.

2002

White Students in FCS high schools were given 13,808 EOC tests. White Students were below grade level proficiency on 2,991 EOC tests.

2,991 divided by 13,808 = 21.6%. White students were **below grade level on 21.6% of the EOC tests** and were above grade level on **78.4%** of the EOC tests.

Black Students in FCS high schools were given 7,844 EOC tests. Black Students were below grade level proficiency on 4,192 EOC tests.

4,192 divided by 7,844 = 53.4%. Black students were **below grade level on 53.4% of the EOC tests** and were above grade level on **46.6%** of the EOC tests.

2003

White Students in FCS high schools were given 13,938 EOC tests. White Students were below grade level proficiency on 2,713 EOC tests.

2,713 divided by 13,938 = 19.4%. White students were **below grade level on 19.4% of the EOC tests** and were above grade level on **80.6%** of the EOC tests.

Black Students in FCS high schools were given 8,040 EOC tests. Black Students were below grade level proficiency on 4,131 EOC tests.

4,131 divided by 8,040 = 51.3%. Black students were **below grade level on 51.3% of the EOC tests** and were above grade level on **48.7%** of the EOC tests.

2004 - No ELPS EOC tests and No U.S. History EOC tests given.

White Students in FCS high schools were given 10,554 EOC tests. White Students were below grade level proficiency on 1989 EOC tests.

1989 divided by 10,554 = 18.8%. White students were **below grade level on 18.8% of the EOC tests** and were above grade level on **81.2%** of the EOC tests.

Black Students in FCS high schools were given 6,646 EOC tests. Black Students were below grade level proficiency on 3,352 EOC tests.

3,353 divided by 6,646 = 50.4%. Black students were **below grade level on 50.4% of the EOC tests** and were above grade level on **49.6%** of the EOC tests.

With so many at-risk students scoring below grade level in so many high schools throughout North Carolina, what is the

problem and what is the solution? The problem is that the educational opportunities offered to the students in many classrooms throughout the entire high school are not **Leandro compliant** in terms of leadership and classroom teacher competency as required by the constitution. If each classroom had the qualified, competent teacher equipped to teach the children in that classroom and supported by the leadership in the school with the needed resources, at-risk children should not be failing to achieve success in high school as the ABC data shows. The critical factor necessary is missing in those schools and classrooms. What is the critical factor?

PROPERLY PREPARED AND SUPPORTED QUALITY PRINCIPALS AND TEACHERS- THE CRITICAL FACTOR TO SUCCESS OR FAILURE IN THE LOW PERFORMING HIGH SCHOOL

The Court, based on all the evidence that has been presented throughout the history of this case, finds that the most critical factor that is the foundation for a high school's success, or a high school's failure, is the quality of the principal and the teachers in that high school. **Leandro requires an effective, competent principal with leadership and educational skills to put in place a program of education that fits the students in the high school and requires of the teachers that they be competent, certified and effective in teaching the standard course of study to the children in their subject areas. This is a non-negotiable fact.**

As the Court listened to the litany of complaints about why CMS and other high schools could not do better, one chorus resonated above the rest: "We can't find qualified teachers and we cannot retain the ones we are able to hire."

As the Court has listened to the litany of complaints from the general commenting public, including a member of the CMS School Board, the question is how can we get rid of "incompetent teachers and principals?"

In the context of problem high schools, the issue of teacher and principal competency is complex and serious. The questions of "competency" raised by the public in reaction to the poor performing high schools are legitimate ones. They also reflect a lack of understanding of the basic problem facing the educators who are placed into the

low wealth, high-risk population high school, urban and rural.

A teacher may be competent to teach in one school setting and lack the training, preparation and support to be competent (ie., be able to effectively communicate with and teach the students in their charge) to teach an at-risk student in a high poverty, inner city or rural high school. The same can apply to a principal.

The basic problem is that these teachers and the principals who are in charge have a student population that is at-risk. They possess the factors that all acknowledge lead to a hard to teach child such as poverty, parents that are themselves not educated, unstable housing, unemployment, racial/ethnic minority, lack of health care, and low socio-economic neighborhood background.

There is no dispute that these children can learn and successfully complete a *Leandro* compliant high school educational experience, but unfortunately, too many either drop out, or fail to achieve at grade level. There is also no dispute that these children should have the opportunity to obtain the sound basic education in high school.

The tendency is to blame the teachers and label them as "incompetent." While this may very well be the case with some, a great many teachers who are qualified on paper are not trained or prepared to teach the standard course of study to these at-risk children in such a way as to achieve academic success by their instructional methods.

This does not make them "incompetent" but they are still not qualified to achieve academic success with their students **without the appropriate professional development and support for their classroom efforts.**

For example, you can take a 23 year old teacher who has made A's in education courses, passed the Praxis at the top level in the subject matter and has successfully practice taught at a fine urban high school with an 85% composite.

This teacher, who is qualified on paper and in the undergraduate educational arena, is not qualified, nor prepared to be "competent" to teach to a group of hard-core inner city students with all of their societal and educational disadvantages.

The same would be true with a "lateral entry" teacher, or for that matter with a Master Teacher who has been teaching in a 90% composite high school for 15 years and whose non at-risk, affluent student body has been cranking out Level IV ABC test scores with relative ease. To change the environment and assign these teachers to a high poverty, at-risk inner city high school and expect them to produce a Level III student overnight is asking them to turn water into gold.

It is no wonder that these teachers quit the profession or refuse to be assigned to those hard to teach schools and classrooms.

The Court is convinced from the evidence that teachers who are going to teach in high schools with high at-risk populations must be provided, before they are thrown into the classroom, with effective teaching tools, methods and techniques that can reach the at-risk students who attend that class.

Principals who are assigned to lead high risk high schools should be prepared, before being thrown into the school, to be able to implement an educationally valid instructional program that can reach and teach the at-risk population in those schools. There is no question that teaching these children requires hard work, initiative, longer hours and more intensive teaching and remediation.

The successful principal is one who has a faculty that "buys into" the educational program in the high school and works as a team, not as individual "college" subject matter teachers, to educate the at-risk children in their charge.

In digesting the evidence from the "successful" principals in high school and elsewhere, the key to their success, regardless of whatever "program" they employ, is teamwork and faculty collaboration in teaching students the core subjects needed for their success.

In the NSP high schools, the focus is on a particular theme such as information technology, or science and math, but underlying the theme is teamwork, high expectations of students and collaboration among the faculty so that the total picture of the academic progress of each student is known to all of his or her teachers. In this way, the

student's educational pluses and minuses can be addressed by the teachers as a group, not in a subject matter vacuum.

This same theme, teamwork and knowledge of the individual student, is present in AVID, as well.

The bottom line is that when the high school student receives individualized attention and knows that his or her teachers are about his or her welfare, have high expectations of success in the classroom, the student's academic performance should improve. When this type of instruction is not present in the classroom and in the high school, the opposite result occurs and the student and the school turn into an educational disaster area with attendant dismal performance composites.

The prevention and cure for such a disaster starts with making sure the teachers and principals are provided with the staff development, training and an appropriate educational program to fit the at-risk, poor performing high school such that the school can be successful upon implementation of the "right" educational program.

All of this takes initiative, a will to succeed and the desire to work hard. If any of these qualities are "missing" then the educator should look elsewhere for employment.

The Court has previously discussed several successful high school programs. There are over 117 high schools that are successful. The Court, in the Conclusion, lists multiple resources that are available to help make a principal and teacher in a low performing high school to successful.

There's no excuse for a teacher or principal not taking advantage of these resources. There's also no excuse for the LEA to fail to properly prepare and support those principals and teachers, who are assigned to the poorly performing, low composite high schools, to be successful if they are willing to work hard and make the sacrifices that must be done to turn the high schools around.

CONCLUSION

Despite great strides in recent years, there are still far too many high schools in North Carolina in which the

opportunity to obtain a sound education is not being provided to each and every student.

The Supreme Court, in *Leandro II*, declared:

We read *Leandro* and our state Constitution, as argued by plaintiffs, as according the right at issue to all children of North Carolina, regardless of their respective ages or needs. Whether it be the infant Zoë, the toddler Riley, the preschooler Nathaniel, the "at-risk" middle-schooler Jerome, or the not "at-risk" seventh-grader Louise, the constitutional right articulated in *Leandro* is vested in them all.

The constitutional right to the opportunity to obtain a sound basic education is vested in every single student. This is not a mere "aspirational goal" but it is the law of North Carolina and that law requires each high school, and the State of North Carolina, which is responsible to ensure compliance with *Leandro*:

To provide each child with the opportunity to reach grade level proficiency, every classroom, and this includes each and every high school classroom, is required to be staffed by a competent, certified, well-trained teacher who is teaching the standard course of study by implementing effective educational methods that provide, differentiated, individualized instruction, assessment and remediation to the student(s) in that classroom.

To see that every school, and this includes high schools, are being led by a well-trained competent principal with the leadership skills and the ability to hire and retain competent, certified and well-trained teachers who implement an effective and cost-effective instructional program that meets the needs of at-risk children so that they can have the equal opportunity to obtain a sound basic education by achieving grade level or above academic performance.

And to see that every school, and this includes each and every high school, be provided, in the most cost-effective manner, the resources necessary to support the effective instructional program within that school so that the educational needs of all children, including at-risk children, to have the equal opportunity to obtain a sound basic education, can be met.

Each student, including each and every high school student, in order to obtain the sound basic education, should be performing at, or above, grade level proficiency (Level III & Level IV).

A high school student performing below Level III proficiency in a particular high school course, or courses, is not obtaining a sound basic education in that subject matter.

A valid measure as to whether or not the a student or students in a classroom are being provided with the opportunity to obtain a sound basic education is the student's performance on the assessments, including the EOG tests administered by the State of North Carolina under the ABCs.

The Court has assumed, for purposes of its broad-brush analysis of the status of educational performance in high schools in North Carolina, that a high school with a composite score of 80 or above, is providing the opportunity for a sound basic education to the children in those schools. After all, 8 out of 10 scores at or above grade level means that the bulk of the students are being provided with the opportunity to learn. The Court realizes, of course, that if one were to look closely at the disaggregated data in those schools, there may and probably are, pockets of children who are at-risk and who are not obtaining a sound basic education.

North Carolina had 117 of its high schools that fell in this category in 2004. They are geographically scattered from the mountains to the coast. They are located in every type of community, including some where the industries on which the local economies were based have gone "off-shore."

Cabarrus County Schools:

Central Cabarrus High	-	Composite of 88
Jay M. Robinson High	-	Composite of 80
Mount Pleasant High	-	Composite of 80
Northwest Cabarrus High	-	Composite of 84

Kannapolis City Schools:

A.L. Brown High	-	Composite of 82
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Caldwell County Schools:

South Caldwell High - Composite of 81

Catawba County Schools:

Fred T. Hoard High - Composite of 85

Saint Stephens High - Composite of 87

Buncombe County Schools:

Buncombe County has 7 high schools. 6 out of 7 had a composite of 80 to 87. The seventh had a composite of 79.

Haywood County Schools:

Tuscola High - Composite of 80

Dare County Schools:

Dare County High School - Composite of 88

Camden County Schools:

Camden County High - Composite of 84

There are 100 more high schools with 2004 composites of 80 or above.

The Court has attached a complete list of all of North Carolina's high schools with their composite scores as Exhibit A to this Report and it is incorporated by reference.

What's the point?

The point is that if 117 of North Carolina's high schools can achieve this academic success, with 107 more working their way up through the 70s (there were 62 out of 107 with composite scores of 75 to 79), **then all of North Carolina's high schools can reach the 80% composite level and higher.**

How do the 102 high schools whose composite scores are below 70% get to the 80% composite level?

The simplistic answer is that those schools must become **Leandro** compliant, at a minimum, and it is the State of North Carolina's responsibility to oversee the process.

Is this an impossible goal? The Court's answer, based on the evidence and success in other high schools in North Carolina, is NO.

There can be no question based on the evidence in this record and the ABC performance composites and ABC scores for high school core subjects that students at high numbers are achieving a sound basic education throughout the State.

Those who are not, especially those in high schools whose composite scores are below 60% proficient, are at-risk of not obtaining a sound basic education.

What has to happen to effectuate a major "sea change" in the bottom 48 high schools that are below 60% composite?

As the Court sees it, there are two options available at the present time. The first is a draconian choice in which the State has to use its "muscle" to force educational change where necessary. This choice is always available, and may be ultimately required, as has been previously stated by this Court:

The State of North Carolina must roll up its sleeves, step in, and utilizing its constitutional authority and power over the LEAs, cause effective educational change when and where required. It does not matter whether the lack of an equal opportunity to obtain a sound basic education is caused by teachers, principals, lack of instructional materials or other resources, or a lack of leadership and effort.

The State must step in with an iron hand and get the mess straight. If it takes removing an ineffective Superintendent, Principal, teacher, or group of teachers and putting effective, competent ones in their place, so be it. If the deficiencies are due to a lack of effective management practices, then it is the State's responsibility to see that effective management practices are put in place. Leandro IV-Final Judgment, 4/02.

The second of the two options is less draconian and ultimately more palatable for all concerned. This option requires everyone interested in seeing that our high school children, all of our high school children, stay in school and be provided with the opportunity to obtain a sound basic education so they can succeed in life. The second option is for everyone to acknowledge the high school problem exists, quit running away from the problem and utilize the great resources the State of North Carolina already has in place to solve the high school problem.

The high school problem must be "fixed" and there are multiple resources available to do so. Utilizing the multiple resources available, hard work and initiative in a spirit of collaboration and teamwork is the second option. An example of this spirit of collaboration and teamwork to solve a problem took place between Wake County Schools and the Hoke County Schools. Hoke County Schools did not have a Project Achieve (Brassosport method) to assist elementary and middle school children in raising their academic achievement levels. Wake County Schools provided Hoke County with assistance and materials for implementing Project Achieve in the Hoke County Schools. That's working together to help children.

The Good News - There are Positive Steps being taken and there are multiple valid practices and programs available to help to make high schools better.

While the State must act to fix the "high school problem" and that the "fix" will be difficult, especially in school districts like CMS, the Court is convinced that there are valid, educationally sound programs and practices available to "fix" the "high school problem" so as to ensure all of our children have obtained a sound basic education when they complete their public school education.

In addition there are both gubernatorial and legislative proposals "on the table" and "in play" during this legislative session to ensure targeted funding for schools systems that are based on accountability that would require targeted funding to assist in fixing the problems of high schools and other schools.

Added to the resources available for solving the "problem" are many programs, partnerships, professional associations and educational nonprofits that are valuable educational resources for assistance in solving the "high school problem"

These legislative initiatives, DPI actions, plans and programs for education and staff development, partnerships, professional associations, educational nonprofits and other volunteer groups are the GOOD NEWS and are assets for our at-risk high school children. This list of valuable resources and assets, includes but is not limited to:

High Schools That Work

High Priority Schools Act

Disadvantaged Student Supplemental Fund (DSSF) to ensure schools and school districts implement proven educational strategies. 2004.

Low Wealth Funding

Small County Funding.

The Sound Basic Education Act of 2005 that the plaintiffs and plaintiff-intervenors advise would, if passed into law, fully fund the Low Wealth Fund and provide for targeted DSSF funding for \$100,000,000 in 2005-2006 and 200,000,000 for 2006-07. The Court has been advised that both the plaintiffs and plaintiff-intervenors support this legislation.

LEAA Program to provide school district level assistance teams.

The New Schools Project to reform high school.

Learn and Earn Schools.

Center for 21st Century Skills

School-Based Child & Family Support Teams

DESTINY. Destiny is a science education program that delivers hands-curricula and teacher professional development throughout the state. It is a program which promotes equity of access to quality science learning.

AVID

THE BALDRIDGE PROCESS

9TH GRADE/FRESHMEN ACADEMIES - Low cost and effective.

NC MODEL TEACHER CONSORTIUM

2+2 PARTNERSHIPS BETWEEN SCHOOLS OF EDUCATION AND COMMUNITY COLLEGES

NC TEACHER ACADEMY

NC MATHEMATICS AND SCIENCE EDUCATION NETWORK

NC PRINCIPALS EXECUTIVE PROGRAM (PEP)

CLASS SIZE REDUCTION TARGETED AT AT-RISK POPULATIONS.

NC CENTER FOR THE ADVANCEMENT OF TEACHING (NCCAT)

NC RESTRUCTURING INITIATION IN SPECIAL EDUCATION

NC STATE IMPROVEMENT PROJECT

JAMES B. HUNT, JR. INSTITUTE FOR EDUCATIONAL LEADERSHIP
AND POLICY

NC EDUCATIONAL RESEARCH COUNCIL

LEARN NC

NATIONAL PAIDEIA CENTER

SUPPORT OUR STUDENTS (SOS)

COMMUNITIES IN SCHOOLS (CIS)

There are also educational driven Professional Associations that are resources that can assist with solving the high school problem, including, but not limited to:

The NC Association of Educators

The NC School Board Association

The NC Association of School Administrators

The NC Association of School Psychologists

There are also the Educational Nonprofit groups that support public school education and are valuable available resources to assist in fixing the "high school problem."

NC BUSINESS COMMITTEE FOR EDUCATION

PUBLIC SCHOOL FORUM OF NC

TEACH FOR AMERICA

COMMUNITIES IN SCHOOLS

NC PARTNERSHIP FOR EXCELLENCE

CENTERS FOR QUALITY TEACHING & LEARNING

NC NETWORK

SCHOOLS ATTUNED

NC TEACH

These at-risk high school students need help. Responding to the need are faith based and other volunteer groups who provide after school and in-school tutoring, mentoring and activities for high school age children and who provide assistance in drop-out prevention programs.

BOYS AND GIRLS CLUBS, YMCA & YWCA and BOY SCOUTS AND GIRL SCOUTS

FAITH BASED AND OTHER VOLUNTEER GROUPS AND ORGANIZATIONS THAT ENGAGE IN TUTORING, MENTORING AND HELPING YOUNG PEOPLE STAY IN HIGH SCHOOL AND SUCCEED.

Last, but not least, are the Superintendents, Principals and Teachers in those high schools that are succeeding in providing to each and every child, the opportunity for a sound basic education. These successful educators use differing methods, practices and programs to reach their students, but they educate students who can meet the standards of educational achievement mandated by Leandro. These educators are a valuable resource and their successful programs and strategies should be tapped and replicated where practicable.

The bottom line is that the lowest performing high schools must be "fixed" and not in the distant future. The State of North Carolina cannot standby and fail to act to stop the educational genocide that is occurring in CMS and throughout the State of North Carolina in too many of its high schools.

Reduced to essentials, the State of North Carolina has, within its borders and at its fingertips, the combined

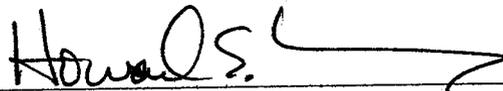
expertise, educators, resources and money to fix the "high school problem" so that the children attending those schools will be provided with the opportunity to obtain a sound basic education similar in content and quality as those in the top 117 high schools. The law requires nothing less.

The Court has no doubt that the State of North Carolina, within its Executive and Legislative Branches, has the leadership and organizational skills to pull together the many assets that are available and solve this problem in an educationally and cost-effective manner.

IT IS ORDERED THAT:

1. This Report shall be filed and become part of the record.
2. That this Report shall be delivered to the Governor, the Leadership of the General Assembly, the Chair of the State Board of Education and the Superintendent of Public Instruction.

This the 24th day of May, 2005.



Howard E. Manning, Jr.
Superior Court Judge

EXHIBIT A
TO
REPORT FROM THE COURT:
THE HIGH SCHOOL PROBLEM

ABCs of Public Education: Table of the Performance Composite, separately for Elementary, Middle and High Schools.

Performance Composite	Elementary Schools	Middle Schools	High Schools
90 and above	342	105	10
80 to 89	225	198	107
70 to 79	50	51	107
60 to 69	7	15	54
50 to 59	1	2	28
40 to 49	0	0	12
Below 40	0	0	8
Total	625	371	326

Note: Elementary schools are the schools of grade range from Kindergarten to grade 5, Middle schools grades 6 to 8 and High Schools grades 9 to 12, not all schools are included.

ABCs of Public Education 2003-04: Performance Composite of high schools, 90 or above

LEA Code	LEA Name	School Code	School Name	Grade Span	Performance Composite
160	Carteret County Public Schools	344	West Carteret High	9-12	90
450	Henderson County Schools	352	West Henderson High	9-12	90
681	Chapel Hill-Carrboro Schools	308	Chapel Hill High	9-12	90
710	Pender County Schools	342	Topsail High	9-12	91
840	Stanly County Schools	368	West Stanly High	9-12	90
880	Transylvania County Schools	308	Brevard High	9-12	92
900	Union County Public Schools	377	Weddington High	9-12	90
920	Wake County Schools	441	Green Hope High	9-12	92
920	Wake County Schools	473	Leesville Road High	9-12	91
92K	Raleigh Charter High	000	Raleigh Charter High	9-12	97

ABCs of Public Education 2003-04: Performance Composite of high schools, 80 to 89

FEA Code	FEA Name	School Code	School Name	Grade Span	Performance Composite
290	Davidson County Schools	324	East Davidson High	9-12	81
290	Davidson County Schools	336	Ledford Senior High	9-12	89
290	Davidson County Schools	348	North Davidson Senior High	9-12	85
290	Davidson County Schools	388	West Davidson High	9-12	82
300	Davie County Schools	312	Davie County High	9-12	80
340	Forsyth County Schools	556	West Forsyth High	9-12	86
360	Gaston County Schools	396	Forestview High	9-12	81
360	Gaston County Schools	418	Highland Sch of Technology	9-12	89
380	Graham County Schools	308	Robbinsville High	9-12	80
390	Granville County Schools	324	J F Webb High	9-12	82
440	Haywood County Schools	378	Pisgah High	9-12	80
440	Haywood County Schools	390	Tuscola High	9-12	86
450	Henderson County Schools	316	East Henderson High	9-12	83
450	Henderson County Schools	334	Hendersonville High	9-12	85
450	Henderson County Schools	341	North Henderson High	9-12	84
490	Iredell-Statesville Schools	335	Lake Norman High	9-12	89
491	Mooresville City Schools	312	Mooresville Senior High	9-12	82
500	Jackson County Schools	340	Smoky Mountain High	9-12	82
510	Johnston County Schools	324	Clayton High	9-12	89
510	Johnston County Schools	368	North Johnston High	9-12	89
510	Johnston County Schools	402	South Johnston High	9-12	86
510	Johnston County Schools	406	West Johnston High	9-12	89
550	Lincoln County Schools	368	West Lincoln High	9-12	80
600	Charlotte-Mecklenburg Schools	508	Providence High	9-12	85
630	Moore County Schools	332	North Moore High	9-12	80
630	Moore County Schools	360	Union Pines High	9-12	80
650	New Hanover County Schools	342	John T Hoggard High	9-12	88
670	Onslow County Schools	320	Dixon High	9-12	84
670	Onslow County Schools	324	Jacksonville High	9-12	83
670	Onslow County Schools	333	Northside High	9-12	88
670	Onslow County Schools	340	Richlands High	9-12	83
670	Onslow County Schools	344	Southwest High	9-12	82
670	Onslow County Schools	352	Swansboro High	9-12	83
670	Onslow County Schools	364	White Oak High	9-12	84
680	Orange County Schools	310	Cedar Ridge High	9-12	82
681	Chapel Hill-Carrboro Schools	314	East Chapel Hill High	9-12	88
710	Pender County Schools	321	Heide Trask High	9-12	82

ABCs of Public Education 2003-04: Performance Composite of high schools, 80 to 89

LEA Code	LEA Name	School Code	School Name	Grade Span	Performance Composite
740	Pitt County Schools	333	D H Conley High	9-12	83
740	Pitt County Schools	344	Farmville Central High	9-12	84
740	Pitt County Schools	366	Junius H Rose High	9-12	83
750	Polk County Schools	318	Polk County High	9-12	84
760	Randolph County Schools	380	Trinity High	9-12	83
800	Rowan-Salisbury Schools	396	Salisbury High	9-12	85
810	Rutherford County Schools	384	R S Central	9-12	80
840	Stanly County Schools	356	South Stanly High	9-12	83
850	Stokes County Schools	358	West Stokes High	9-12	84
860	Surry County Schools	316	East Surry High	9-12	84
860	Surry County Schools	336	North Surry High	9-12	80
860	Surry County Schools	352	Surry Central High	9-12	85
862	Mount Airy City Schools	312	Mount Airy High	9-12	84
880	Transylvania County Schools	328	Rosman High	9-12	89
890	Tyrrell County Schools	304	Columbia High	9-12	80
900	Union County Public Schools	344	Parkwood High	9-12	87
900	Union County Public Schools	348	Piedmont High	9-12	85
900	Union County Public Schools	360	Sun Valley High	9-12	86
920	Wake County Schools	316	Apex High	9-12	89
920	Wake County Schools	318	Athens Drive High	9-12	88
920	Wake County Schools	348	Needham Broughton High	9-12	81
920	Wake County Schools	368	Cary High	9-12	89
920	Wake County Schools	412	William G Enloe High	9-12	81
920	Wake County Schools	428	Fuquay-Varina High	9-12	85
920	Wake County Schools	562	Southeast Raleigh High	9-12	81
920	Wake County Schools	588	Wake Forest-Rolesville High	9-12	87
920	Wake County Schools	595	Wakefield High	9-12	85
950	Watauga County Schools	336	Watauga High	9-12	85
960	Wayne County Public Schools	324	Charles B Aycock High	9-12	81
960	Wayne County Public Schools	330	Eastern Wayne High	9-12	83
970	Wilkes County Schools	320	East Wilkes High	9-12	81
970	Wilkes County Schools	388	West Wilkes High	9-12	86
995	Yancey County Schools	330	Mountain Heritage High	9-12	81

ABCs of Public Education 2003-04: Performance Composite of high schools, 80 to 89

EEA Code	EEA Name	School Code	School Name	Grade Span	Performance Composite
010	Alamance-Burlington Schools	400	Western Alamance High	9-12	84
020	Alexander County Schools	302	Alexander Central High	9-12	82
030	Alleghany County Schools	304	Alleghany High	9-12	83
050	Ashe County Schools	302	Ashe County High	9-12	82
060	Avery County Schools	302	Avery County High	9-12	83
110	Buncombe County Schools	304	A C Reynolds High	9-12	89
110	Buncombe County Schools	322	Buncombe County Middle College	9-12	83
110	Buncombe County Schools	340	Clyde A Erwin High	9-12	83
110	Buncombe County Schools	352	Enka High	9-12	80
110	Buncombe County Schools	380	North Buncombe High	9-12	83
110	Buncombe County Schools	416	T C Roberson High	9-12	87
120	Burke County Schools	314	East Burke High	9-12	87
120	Burke County Schools	318	Freedom High	9-12	86
130	Cabarrus County Schools	310	Central Cabarrus High	9-12	88
130	Cabarrus County Schools	316	Jay M Robinson High	9-12	80
130	Cabarrus County Schools	324	Mount Pleasant High	9-12	80
130	Cabarrus County Schools	326	Northwest Cabarrus High	9-12	84
132	Kannapolis City Schools	304	A L Brown High	9-12	82
140	Caldwell County Schools	386	South Caldwell High	9-12	81
150	Camden County Schools	304	Camden County High	9-12	84
160	Carteret County Public Schools	313	East Carteret High	9-12	80
160	Carteret County Public Schools	314	Croatan High	9-12	89
180	Catawba County Schools	340	Fred T Foard High	9-12	85
180	Catawba County Schools	376	Saint Stephens High	9-12	87
181	Hickory City Schools	322	Hickory High	9-12	80
190	Chatham County Schools	316	Chatham Central High	9-12	83
200	Cherokee County Schools	308	Andrews High	9-12	87
200	Cherokee County Schools	328	Murphy High	9-12	83
220	Clay County Schools	310	Hayesville High	9-12	86
230	Cleveland County Schools	324	Crest Senior High	9-12	83
231	Kings Mountain District	324	Kings Mountain High	9-12	84
250	Craven County Schools	340	Havelock High	9-12	89
250	Craven County Schools	356	New Bern High	9-12	85
250	Craven County Schools	372	West Craven High	9-12	84
260	Cumberland County Schools	318	Jack Britt High School	9-12	89
270	Currituck County Schools	306	Currituck County High	9-12	82
280	Dare County Schools	316	Manteo High	9-12	88

ABCs of Public Education 2003-04: Performance Composite of high schools, 70 to 79

LEA Code	LEA Name	School Code	School Name	Grade Span	Performance Composite
010	Alamance-Burlington Schools	324	Eastern Alamance High	9-12	77
010	Alamance-Burlington Schools	388	Southern High	9-12	70
010	Alamance-Burlington Schools	396	Walter M Williams High	9-12	72
070	Beaufort County Schools	330	Northside High	9-12	74
070	Beaufort County Schools	339	Southside High	9-12	70
100	Brunswick County Schools	334	South Brunswick High	9-12	78
100	Brunswick County Schools	348	West Brunswick High	9-12	73
110	Buncombe County Schools	336	Charles D Owen High	9-12	79
111	Asheville City Schools	302	Asheville High	9-12	78
130	Cabarrus County Schools	314	Concord High	9-12	72
140	Caldwell County Schools	348	Hibriten High	9-12	77
140	Caldwell County Schools	390	West Caldwell High	9-12	79
180	Catawba County Schools	308	Bandys High	9-12	76
180	Catawba County Schools	320	Bunker Hill High	9-12	72
180	Catawba County Schools	348	Maiden High	9-12	79
182	Newton Conover City Schools	316	Newton-Conover High	9-12	77
190	Chatham County Schools	336	Jordan Matthews High	9-12	77
190	Chatham County Schools	342	Northwood High	9-12	71
200	Cherokee County Schools	314	Hiwassee Dam High	9-12	77
210	Edenton/Chowan Schools	312	John A Holmes High	9-12	75
230	Cleveland County Schools	312	Burns High	9-12	70
232	Shelby City Schools	332	Shelby High	9-12	74
240	Columbus County Schools	371	South Columbus High	9-12	73
260	Cumberland County Schools	325	Cape Fear High	9-12	76
260	Cumberland County Schools	388	Massey Hill Classical High	9-12	79
260	Cumberland County Schools	427	South View High	9-12	72
260	Cumberland County Schools	446	Terry Sanford High	9-12	76
290	Davidson County Schools	308	Central Davidson Sr High	9-12	74
292	Thomasville City Schools	324	Thomasville High	9-12	76
310	Duplin County Schools	344	East Duplin High	9-12	79
320	Durham Public Schools	312	C E Jordan High	9-12	78
320	Durham Public Schools	356	Northern High	9-12	71
320	Durham Public Schools	365	Riverside High	9-12	75
330	Edgecombe County Schools	358	Tarboro High	9-12	74
340	Forsyth County Schools	364	East Forsyth High	9-12	71
340	Forsyth County Schools	454	Mount Tabor High	9-12	78
340	Forsyth County Schools	496	Reynolds High	9-12	74

ABCs of Public Education 2003-04: Performance Composite of high schools, 70 to 79

LEA Code	LEA Name	School Code	School Name	Grade Span	Performance Composite
350	Franklin County Schools	308	Bunn High	9-12	77
360	Gaston County Schools	310	Ashbrook High	9-12	70
360	Gaston County Schools	360	Cherryville Senior High	9-12	79
360	Gaston County Schools	390	East Gaston High	9-12	72
360	Gaston County Schools	470	North Gaston High	9-12	70
360	Gaston County Schools	494	South Point High	9-12	78
370	Gates County Schools	312	Gates County Senior High	9-12	75
390	Granville County Schools	352	South Granville High	9-12	73
400	Greene County Schools	308	Greene Central High	9-12	78
421	Roanoke Rapids City Schools	316	Roanoke Rapids High	9-12	75
430	Harnett County Schools	346	Harnett Central High	9-12	77
480	Hyde County Schools	307	Mattamuskeet High	9-12	79
490	Iredell-Statesville Schools	362	South Iredell High	9-12	74
490	Iredell-Statesville Schools	380	West Iredell High	9-12	75
510	Johnston County Schools	399	Smithfield-Selma High	9-12	78
530	Lee County Schools	336	Lee County High	9-12	74
540	Lenoir County Public Schools	324	North Lenoir High	9-12	77
540	Lenoir County Public Schools	336	South Lenoir High	9-12	77
550	Lincoln County Schools	320	East Lincoln High	9-12	75
550	Lincoln County Schools	332	Lincolnton High	9-12	70
560	Macon County Schools	320	Franklin High	9-12	77
570	Madison County Schools	318	Madison High	9-12	71
590	McDowell County Schools	330	McDowell High	9-12	73
600	Charlotte-Mecklenburg Schools	361	David W Butler High	9-12	75
600	Charlotte-Mecklenburg Schools	466	Myers Park High	9-12	75
600	Charlotte-Mecklenburg Schools	480	North Mecklenburg High	9-12	72
600	Charlotte-Mecklenburg Schools	535	South Mecklenburg High	9-12	74
630	Moore County Schools	336	Pincrest High	9-12	78
640	Nash-Rocky Mount Schools	364	Southern Nash High	9-12	75
650	New Hanover County Schools	326	Emsley A Laney High	9-12	78
650	New Hanover County Schools	327	Eugene Ashley High	9-12	74
650	New Hanover County Schools	352	New Hanover High	9-12	73
680	Orange County Schools	332	Orange Senior High	9-12	77
690	Pamlico County Schools	320	Pamlico County High	9-12	77
710	Pender County Schools	326	Pender High	9-12	72
720	Perquimans County Schools	316	Perquimans County High	9-12	76
730	Person County Schools	352	Person High	9-12	72

ABCs of Public Education 2003-04: Performance Composite of high schools, 70 to 79

LEA Code	LEA Name	School Code	School Name	Grade Span	Performance Composite
740	Pitt County Schools	374	North Pitt High	9-12	78
760	Randolph County Schools	358	Southwestern Randolph High	9-12	77
761	Asheboro City Schools	304	Asheboro High	9-12	75
780	Robeson County Schools	325	Fairmont High	9-12	73
790	Rockingham County Schools	314	Dalton McMichael High	9-12	74
790	Rockingham County Schools	354	John M Morehead High	9-12	76
790	Rockingham County Schools	378	Rockingham County High	9-12	79
800	Rowan-Salisbury Schools	340	East Rowan High	9-12	77
800	Rowan-Salisbury Schools	376	North Rowan High	9-12	70
800	Rowan-Salisbury Schools	400	South Rowan High	9-12	76
800	Rowan-Salisbury Schools	408	West Rowan High	9-12	73
810	Rutherford County Schools	324	Chase High	9-12	74
810	Rutherford County Schools	340	East Rutherford High	9-12	77
820	Sampson County Schools	352	Midway High	9-12	72
821	Clinton City Schools	308	Clinton High	9-12	71
830	Scotland County Schools	346	Scotland High	9-12	78
840	Stanly County Schools	302	Albemarle High	9-12	75
840	Stanly County Schools	332	North Stanly High	9-12	77
850	Stokes County Schools	332	North Stokes High	9-12	73
870	Swain County Schools	314	Swain County High	9-12	73
900	Union County Public Schools	316	Forest Hills High	9-12	79
900	Union County Public Schools	336	Monroe High	9-12	72
920	Wake County Schools	411	East Wake High	9-12	75
920	Wake County Schools	500	Millbrook High	9-12	79
920	Wake County Schools	552	Sanderson High	9-12	78
960	Wayne County Public Schools	372	Rosewood High	9-12	74
960	Wayne County Public Schools	380	Southern Wayne High	9-12	74
970	Wilkes County Schools	356	North Wilkes High	9-12	77
970	Wilkes County Schools	390	Wilkes Central High	9-12	75
980	Wilson County Schools	336	Fike High	9-12	74
980	Wilson County Schools	342	James Hunt High	9-12	75
990	Yadkin County Schools	322	Forbush High	9-12	79
990	Yadkin County Schools	326	Starmount High	9-12	76

ABCs of Public Education 2003-04: Performance Composite of high schools, 60 to 69

IEA Code	IEA Name	School Code	School Name	Grade Span	Performance Composite
010	Alamance-Burlington Schools	348	Graham High	9-12	65
070	Beaufort County Schools	342	Washington High	9-12	66
090	Bladen County Schools	330	East Bladen High	9-12	65
090	Bladen County Schools	368	West Bladen High	9-12	61
100	Brunswick County Schools	326	North Brunswick High	9-12	68
240	Columbus County Schools	334	East Columbus High	9-12	64
241	Whiteville City Schools	316	Whiteville High	9-12	67
260	Cumberland County Schools	322	Douglas Byrd High	9-12	67
260	Cumberland County Schools	357	Gray's Creek High School	9-12	67
290	Davidson County Schools	365	South Davidson High	9-12	63
291	Lexington City Schools	336	Lexington Senior High	9-12	61
310	Duplin County Schools	352	James Kenan High	9-12	60
310	Duplin County Schools	392	Wallace-Rose Hill High	9-12	63
330	Edgecombe County Schools	328	North Edgecombe High	9-12	65
330	Edgecombe County Schools	350	SouthWest Edgecombe High	9-12	66
340	Forsyth County Schools	382	R B Glenn High	9-12	63
340	Forsyth County Schools	460	North Forsyth High	9-12	68
350	Franklin County Schools	321	Frankinton High	9-12	67
350	Franklin County Schools	336	Louisburg High	9-12	69
360	Gaston County Schools	336	Bessemer City High	9-12	64
360	Gaston County Schools	428	Hunter Huss High	9-12	60
430	Harnett County Schools	378	Triton High	9-12	66
490	Iredell-Statesville Schools	346	North Iredell High	9-12	68
490	Iredell-Statesville Schools	354	Statesville High	9-12	67
520	Jones County Schools	320	Jones Senior High	9-12	69
540	Lenoir County Public Schools	315	Kinston High	9-12	62
580	Martin County Schools	344	Roanoke High	9-12	62
580	Martin County Schools	368	Williamston High	9-12	69
600	Charlotte-Mecklenburg Schools	377	East Mecklenburg High	9-12	63
600	Charlotte-Mecklenburg Schools	405	Harding University High	9-12	61
600	Charlotte-Mecklenburg Schools	415	Hopewell High	9-12	68
610	Mitchell County Schools	334	Mitchell High	9-12	69
620	Montgomery County Schools	316	East Montgomery High	9-12	68
620	Montgomery County Schools	340	West Montgomery High	9-12	69
640	Nash-Rocky Mount Schools	346	Nash Central High	9-12	64
640	Nash-Rocky Mount Schools	350	Northern Nash High	9-12	66
640	Nash-Rocky Mount Schools	361	Rocky Mount High	9-12	61

ABCs of Public Education 2003-04: Performance Composite of high schools, 60 to 69

LEA Code	LEA Name	School Code	School Name	Grade Span	Performance Composite
700	Pasquotank County Schools	317	Northeastern High	9-12	61
700	Pasquotank County Schools	319	Pasquotank County High	9-12	64
740	Pitt County Schools	309	Ayden-Grifton High	9-12	66
760	Randolph County Schools	318	Eastern Randolph High	9-12	67
760	Randolph County Schools	348	Randleman High	9-12	65
780	Robeson County Schools	342	Lumberton Senior High	9-12	68
780	Robeson County Schools	401	Saint Pauls High	9-12	64
780	Robeson County Schools	402	South Robeson High	9-12	64
780	Robeson County Schools	420	Purnell Swett High	9-12	64
820	Sampson County Schools	348	Hobbton High	9-12	69
820	Sampson County Schools	349	Lakewood High	9-12	67
820	Sampson County Schools	388	Union High	9-12	69
850	Stokes County Schools	352	South Stokes High	9-12	69
910	Vance County Schools	370	Northern Vance High	9-12	60
920	Wake County Schools	436	Garner High	9-12	66
930	Warren County Schools	352	Warren County High	9-12	61
980	Wilson County Schools	318	Beddingfield High	9-12	61

ABCs of Public Education 2003-04: Performance Composite of high schools, 50 to 59

LEA Code	LEA Name	School Code	School Name	Grade Span	Performance Composite
010	Alamance-Burlington Schools	360	Hugh M Cummings High	9-12	57
040	Anson County Schools	306	Anson High	9-12	56
080	Bertie County Schools	312	Bertie High	9-12	53
110	Buncombe County Schools	303	Buncombe Community-East	9-12	55
170	Caswell County Schools	316	Bartlett Yancey High	9-12	59
240	Columbus County Schools	380	West Columbus High	9-12	57
260	Cumberland County Schools	359	E E Smith High	9-12	55
260	Cumberland County Schools	408	Pine Forest High	9-12	55
260	Cumberland County Schools	409	Ramsey St HS Alt Program	9-12	53
260	Cumberland County Schools	424	Seventy-First High	9-12	58
320	Durham Public Schools	325	Hillside High	9-12	50
320	Durham Public Schools	368	Southern High	9-12	53
340	Forsyth County Schools	486	Parkland High	9-12	59
430	Harnett County Schools	384	Western Harnett High	9-12	57
440	Haywood County Schools	326	Central Haywood High	9-12	51
470	Hoke County Schools	312	Hoke County High	9-12	55
600	Charlotte-Mecklenburg Schools	426	Independence High	9-12	51
600	Charlotte-Mecklenburg Schools	490	Olympic High	9-12	55
660	Northampton County Schools	324	Northampton High-West	9-12	50
660	Northampton County Schools	336	Northampton High-East	9-12	57
780	Robeson County Schools	391	Red Springs High	9-12	59
790	Rockingham County Schools	366	Reidsville High	9-12	57
83A	Laurinburg Charter	000	Laurinburg Charter	9-12	53
910	Vance County Schools	364	Southern Vance High	9-12	57
92C	Baker Charter High	000	Baker Charter High	9-12	50
92P	Community Partners Charter HS	000	Community Partners Charter HS	9-12	52
940	Washington County Schools	316	Plymouth High	9-12	54
960	Wayne County Public Schools	335	Goldsboro High	9-12	50

ABCs of Public Education 2003-04: Performance Composite of high schools, 40 to 49

IEA Code	IEA Name	School Code	School Name	Grade Span	Performance Composite
16A	Cape Lookout Marine Sci High	000	Cape Lookout Marine Sci High	9-12	49
260	Cumberland County Schools	346	Cumberland Evening Academy	9-12	42
✓ 260	Cumberland County Schools	455	Westover High	9-12	47
340	Forsyth County Schools	330	Carver High	9-12	47
✓ 420	Halifax County Schools	346	Northwest High	9-12	44
✓ 420	Halifax County Schools	358	Southeast Halifax High	9-12	44
422	Weldon City Schools	324	Weldon High	9-12	49
460	Hertford County Schools	320	Hertford County High	9-12	40
✓ 600	Charlotte-Mecklenburg Schools	376	E E Waddell High	9-12	41
✓ 600	Charlotte-Mecklenburg Schools	396	Garinger High	9-12	45
✓ 600	Charlotte-Mecklenburg Schools	579	West Mecklenburg High	9-12	48
✓ 600	Charlotte-Mecklenburg Schools	592	Zebulon B Vance High	9-12	49

ABCs of Public Education 2003-04: Performance Composite of high schools, less than 40

LEA Code	LEA Name	School Code	School Name	Grade Span	Performance Composite
190	Chatham County Schools	310	SAGE Academy	9-12	31
410	Guilford County Schools	326	Middle College High at Bennett	9-12	13
410	Guilford County Schools	483	Middle College High at NC A&T	9-12	17
600	Charlotte-Mecklenburg Schools	576	West Charlotte High	9-12	31
60H	Crossroads Charter High	000	Crossroads Charter High	9-12	27
68B	New Century Charter High	000	New Century Charter High	9-12	37
910	Vance County Schools	368	Western Vance High	9-12	21
920	Wake County Schools	528	Phillips High	9-12	31